

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 184 Ex.]

YEAS—50

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoehen	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—2

Burr	McCain
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Arizona.

(The remarks of Mr. FLAKE pertaining to the submission of S. Res. 243 are printed in today's RECORD under "Submitted Resolutions.")

Mr. FLAKE. Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Virginia.

### UNITED STATES INTELLIGENCE PROFESSIONALS DAY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 222 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 222) designating July 26, 2017, as "United States Intelligence Professionals Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARNER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 222) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 19, 2017, under "Submitted Resolutions.")

Mr. WARNER. Mr. President, for several years now I have regularly come to this floor to publicly acknowledge the contributions made by our great Federal employees. This is a tradition I inherited from one of our former colleagues, Senator Ted Kaufman of Delaware. Senator Kaufman, who had been a longtime staffer himself before he served as a Senator, would come to this floor on a regular basis to acknowledge and celebrate the tireless work and occasional heroics performed by many of our Federal employees. When Senator Kaufmann left this body, I gladly picked up that mantle and since then have come to the floor to draw attention to the extraordinary contributions of many of our Federal workers.

Over the past few years, this recognition has included a Social Security executive who eliminated a claims backlog to more quickly meet the urgent needs of thousands of Social Security recipients with grave terminal illnesses. We have also celebrated the work of a Department of Homeland Security official who saved taxpayers \$750 million by streamlining her agency's procurement processes, and we proudly highlighted the work of a group of engineers at NASA Langley Research Center in Virginia, who, in 2010, designed a capsule that proved to be crucial in saving the lives of 33 Chilean miners who were trapped underground.

Too often, our Federal workers are disrespected and demeaned by those who would attempt to use them as scapegoats for all that is allegedly wrong here in Washington. In reality, thousands of our Nation's dedicated civil servants work tirelessly every day to make our government work for and by the people.

Today, I wish to focus for a moment on one such group of outstanding Federal employees—those who work across our Nation's intelligence agencies to keep our Nation safe. Most of these professionals work in anonymity. Many risk their lives far away from the limelight. That is how it should be, for they are sworn to secrecy, even from their families and loved ones.

Over the last decade and a half, our intelligence professionals have increasingly been deployed overseas into war zones and other high-threat environ-

ments. Regrettably, some have made the highest sacrifice—laying down their lives for their country.

For their service, the risks they take and the sacrifices they make every day and because they do not hear this nearly enough, let me say "thank you" to the intelligence community.

As a Senator from the Commonwealth of Virginia, I am proud to represent thousands of current and former members of the intelligence community who live, work, or retire in our great State. I am also proud to represent these individuals in my current capacity as vice chairman of the Senate Intelligence Committee.

My colleagues and I on the committee have again submitted a resolution that marks July 26 as "United States Intelligence Professionals Day." It was on that day 70 years ago that President Truman signed the National Security Act of 1947, which laid the foundation for today's U.S. intelligence community. It was earlier in my statement that we passed that resolution. In recent years, our committee has had success, as we try to protect our intelligence community, with greater intelligence sharing and interoperability and because of investments in people and systems.

Many challenges remain—from the constant barrage of leaks to the security of the supply chain, to outdated processes for security clearances. I hope that this year's intelligence authorization bill will begin to address some of these issues.

Yet today it is the people in the intelligence community whom I want to acknowledge—their professionalism, their dedication to duty and country, their silent service, their sacrifices.

The men and women of the Nation's intelligence agencies deserve our respect and our thanks. They do not deserve to be belittled, disrespected, or threatened, and certainly not from their Commander in Chief.

To the men and women of the intelligence community—these great Federal employees—I conclude with this: We, simply, do not say it enough, but thank you for your service. Thank you for your dedication, and thank you for the great work you do—often unheralded.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### RACE FOR CHILDREN ACT

Mr. RUBIO. Mr. President, I come to the floor today to voice my support for the FDA Reauthorization Act. Within this legislation is a very important measure that will support the development of innovative and promising cancer drugs—the RACE for Children Act,

which is a law that I introduced with Senator MICHAEL BENNET of the State of Colorado.

RACE for Children is sorely needed, as it would close a loophole that exists in current Federal law and prompt companies—pharmaceutical companies—to examine the safety and the efficacy of powerful cancer drugs and how they work on children. This, in turn, will provide doctors with the necessary information to properly treat children battling cancer.

Pediatric cancer is a leading cause of death by disease among children. A startling statistic: One in every 285 children is diagnosed with cancer before the age of 20. While the good news is that researchers are continuing to make significant advances to treat and cure cancer for adults, the progress to develop safe drugs for pediatric cancer sadly lags far behind.

One of the problems is that current law, the way it is today, directs pharmaceutical companies to study the safety and the efficacy of adult drugs on children. So if you develop a drug on diabetes or heart disease or anything for adults, it also requires you to do some of that on children because you want to make sure that it works on both populations and you don't want to keep a drug out of the market for children that could work for them. Of course, this requirement is only in place if the FDA believes that there is a pertinent need—in essence, a condition that children suffer from. There are some conditions that are unique to adults; there are few, if any, pediatric populations who have that disease, so maybe they would decide it wasn't pertinent to require it.

However, this provision in the law specifically exempts cancer drugs. In essence, it says to a pharmaceutical company: If you are going to study the safety and the efficacy of a drug on adults, if there is a pertinent need, if there is a real population out there that suffers from the same condition in children, you have to test it on children, as well, except if it is a cancer drug. One of the reasons that exemption is in there is because technology—medical technology at the time that law was put in place—didn't allow researchers to target the genetic structure of cancer. In essence, at the time, it didn't allow them to say: We can go in and find the genetic markers of a specific cancer and test against it. That is why it didn't have that requirement.

Now, however, we do have that capability. Today, the technology exists to pinpoint the similarities in adult and childhood cancer genomes. So the technology has now reached a point where you can treat the specific genome of a cancer whether it is in an adult or in a child. That is how far the technology has advanced, but the law has not been updated to keep up with it. The result is that there are a lot of adult advances being made, and we don't know if they work on children because they haven't been forced to test it.

So the RACE for Children's Act, which is a law that Senator BENNET and I offered and is included in the FDA reauthorization, closes that loophole.

Let me say that getting to this point here on the floor was not easy. So I do need to take a moment to thank the chairman, Senator ALEXANDER of Tennessee, and obviously Senator BENNET, but also the pediatric cancer community, including organizations like the Live Like Bella Foundation in my hometown of Miami, Lambs for Life, the Alliance for Childhood Cancer, St. Jude's, St. Baldrick's, Nemours Children's Hospital, Arnold Palmer Hospital, the American Cancer Society, and so many others that came together to the table to address this important issue in a way that would not limit future innovations for cancer treatment. It has taken over a year and a half to reach this point, and I am grateful to all of them for their participation because I would not be standing here giving this speech without it.

Suffice it to say that, tragically, many of my colleagues in Congress, here in the Senate but also across the country, have been affected by cancer. Whether you are fighting cancer yourself or it is your child, your sister, your brother, your cousin, your friend, I want to make one thing clear: You are not alone in your struggle.

I would venture to say that I do not know anyone who has not been impacted by pediatric cancer. I have it in my own family, and some have confronted it in theirs, in loved ones and children who went to school with your kids. In fact, Live Like Bella Foundation was founded for a young girl by the name of Bella from Miami. She was a classmate of my nephew in grade school, and she lost her battle with cancer. Her father has been a tireless advocate for this cause. He moved Heaven and Earth to try to reach a point where they could find a cure for her. That did not come in time. He has now made it the mission of his life to honor her life by continuing this work. So we have all been impacted in some way.

As I said, unfortunately, across this country this disease is a reality. I want to share some stories of a few of the children who have been impacted by cancer and who have impacted our office and helped us to make this a priority over the last year and a half.

The first is the story of a young boy named Jeremy. He is only 5 years old and has been in treatment for 4 of those 5 years. He has had more than 150 surgeries so far, and ultimately had to have his eyes removed because of cancer, which left him completely blind, obviously.

Then there is Tatum, who was diagnosed with a rapidly developing brain tumor just before she was supposed to start kindergarten. Her parents were told by the doctors that they should take her home and they should enjoy the little time they had with Tatum

because they had no options to treat her.

There is Princeton, who was diagnosed with cancer when he was 5 years old. He is now 7. In those 2 years he has undergone 6 chemo cycles, a bone marrow transplant, 9 surgeries, 12 rounds of radiation, and 6 cycles of immunotherapy. Because of this intense and time-consuming treatment schedule, Princeton built friendships with others who were also in the hospital for treatment. Sadly, he has lost many of these friends.

Princeton's best friend was Trevor. Trevor passed away right before Princeton's birthday party. Princeton came to my office asking the Senate to do more for kids like them. Here is what 7-year-old Princeton said: "I don't want my friends to die, and I don't want me to die."

There is the story of Derek. He was a healthy, happy baby until he developed an aggressive form of cancer and it produced tumors all over his body. His body was literally taken over by tumors. At only 5 months of age, baby Derek lost his battle against cancer.

These are real stories. They are real, heartbreaking stories—stories of our neighbors, friends, and family and what they have endured.

But with the developments in medicine today, there is no reason these children shouldn't have a second chance. Yet the treatment options for children with cancer is much more limited than it is for adults, and some of the reasons why are the issues we are trying to address about this law here today.

Recent advancements in cancer treatment enable oncology drugs to specifically target the genetic structure of the cancer, and that makes it possible to transition certain adult cancer drugs for pediatric use. However, the basic information you need to do that—about dosing and safety—needs to be determined to guide the doctors responsible for treating these children. These treatments, these advances are providing new-found hope for cancer patients, but mostly only for adult cancer patients.

Fortunately, we have a chance and an opportunity to change this, and that is the goal of the RACE for Children Act.

The House recently passed the RACE for Children Act as part of the FDA user fee reauthorization bill that is before us here today. It is now our turn to do so and to send this important and potentially lifesaving legislation to the President for his signature.

In a place where we have had some heated debates over the last 7 years, since I have been here—6½, and more to come—sometimes it feels as though, perhaps, our service here doesn't make much of an impact. But from time to time, we have unique opportunities to vote on laws and legislation that slightly alter the arc of history and potentially help people. Standing here today, I can't tell you if there will be

1,000 children, 100,000 children, or 5 children who will benefit from a cancer treatment because of this new requirement in which these adult drugs will have to be tested on children. We don't know.

Standing here today, believing that we all walk on Earth and our days are numbered to the glory and grace of God, frankly, we don't know if one of our own children, God forbid or someone we deeply love or one of our children's classmates will be impacted by pediatric cancer. But we know that 1 in about 300 children will be. So the chances are that at some point, we will once again have someone we care deeply about impacted. We hope that when that moment comes, if it does, that there will be options for their parents and their doctors and that they will have the opportunity to use for them treatments that perhaps would not have been available, had this requirement not been in the law. That is why I hope and I urge my Senate colleagues to join me in supporting this initiative.

In fact, sometimes we give these speeches with a sense of mystery: If this passes; if it doesn't pass; there is no reason this isn't going to pass. We all expect the FDA reauthorization bill to pass. I imagine when people vote on this tomorrow, they will read the title of the bill, "FDA Fee Reauthorization." It sounds like taking care of the normal course of business—it is important in its own right, by the way—that this is just this bureaucratic exercise to reauthorize an expiring law. Embedded in that law is a very important law, one that I hope will lead to real life-changing innovation in a way that will impact lives, change and save the lives of children here in our country but ultimately in other parts of the world as well.

That is why I felt it was important to come to the Senate floor and, obviously, urge my colleagues to support this initiative but also to urge my colleagues to be proud of it.

We are about to go home, whether it is tomorrow or next week, and answer to our constituents for all the things we didn't do. There are some significant issues we have not confronted and solved for the country, but this is a significant issue. There aren't going to be a lot of articles written about it; there aren't going to be blaring headlines on the websites about it, mailers and campaign commercials. That doesn't mean it isn't important. We live in a society where oftentimes good news doesn't draw ratings, and good news doesn't drive eyeballs and clicks to a website. It doesn't make it unimportant. It doesn't make it insignificant.

This is significant. This is an opportunity. This is evidence that more often than perhaps people realize, fellow Americans of different points of view, representing diverse States and communities, who approach the political process with very different ideologies and aims, come together to make a difference. I am pleased that

while there are many things we have not done, we will leave here tomorrow or next week knowing that at least we did one thing that will matter. It is an important thing because these children whom we are trying to help do not have the time to continue waiting for us to step up and take action.

I thank the Chair.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VERMONT POLICE CHIEF'S RESPONSE TO PRESIDENT TRUMP

Mr. LEAHY. Mr. President, Brandon del Pozo proudly serves as the chief of police in Burlington, VT—Vermont's largest city. He arrived in Vermont 2 years ago, after serving for nearly two decades with the New York Police Department, where he rose through the ranks and learned hard lessons on the streets of such a large urban center. One needs only to sit with Chief del Pozo for a short while to understand his commitment to community service and to community.

So it comes as no surprise that Chief del Pozo grew alarmed when he heard President Trump recently tell a law enforcement gathering that police should not be "too nice" to those who are placed under arrest, seeming to suggest that police should go against the very policies that exist to protect against police misconduct. We cannot tolerate this kind of public comment and certainly not from the President of the United States. There is nothing the least bit humorous in any of this. In fact, President Trump's comments have undermined the efforts of police departments across our Nation to build trust within their communities at a time when that trust is most needed.

As a doctoral candidate holding three master's degrees, Chief del Pozo is well studied in the rules of engagement. He is also a talented writer. In an essay he submitted to CNN, Chief del Pozo responded directly to the President's comments, writing: "Policing requires dealing with the emotions cops are bound to feel when they witness the worst things one person can do to another. It is criminals who act on these emotions and attack other people. Restraint is what separates policing from vigilantism."

It is a viewpoint that is real, told through the eyes of an experienced street cop who works in reality, not reality TV. I ask unanimous consent that Chief del Pozo's full CNN essay be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From CNN, July 31, 2017]

TRUMP ON POLICE BRUTALITY: HAR HAR HAR

(By Brandon del Pozo)

When I was a New York Police Department cop in East Flatbush in 2000, I once rushed into an apartment building with fellow officers on a call of an assault. We found a boy in the hallway under attack. He was crying, and bleeding from stab wounds inflicted by his mother's boyfriend. The boy ran into my arms. Our sergeant confronted his attacker. He could have shot the man. Instead, he fought him into submission.

The boy had been stabbed because he had called the police while the man was attacking his mother. She was lying on the hallway stairs in a pool of blood. That her son had served as a distraction was probably the only reason she survived. "You saved our lives," the boy sobbed. He hugged me. His blood and tears wet my shirt.

As the suspect sat there in handcuffs waiting to be led away, I asked him why he had stabbed a child. "Boy gotta learn not to get in a man's business," he said. "So now he learned." A fury rose within me that nearly caused me to shake. "We should have shot you," I said.

But we didn't shoot him, nor did we lay a hand on him once he'd surrendered. Policing requires dealing with the emotions cops are bound to feel when they witness the worst things one person can do to another. It is criminals who act on these emotions and attack other people. Restraint is what separates policing from vigilantism.

Now we have a President who appears to want police to satisfy their primal urges. Either as a joke—as White House press secretary, Sarah Huckabee Sanders has now suggested—or as one of many true things that have been said in jest, President Donald Trump addressed a roomful of officers on Long Island on Friday and invited them to be "rough" with their suspects. He advised them to be free with their hands as they shoved arrestees into squad cars, to "not be too nice." His grin and his pause for an ovation erased any uncertainty about his message.

An elected official could only say what Trump said if he didn't understand policing. People who've gained this type of experience know the real possibility of a cop losing his temper, how hard we have to guard against it, and how much it would erode the trust we strive for between police and the people they serve.

It also seems like the President doesn't understand certain things about America. There has been enough confirmed police brutality here to send chills down the spine of a reasonable person watching the President and a crowd of cops joke and laugh about it. It's like laughing about the dire consequences of inadequate health care, or the opioid crisis.

It's also clear that President Trump has never had to fire or arrest a police officer: The cop sits there in front of you, replaying a moment in his mind, wishing he could take it back. He put on the uniform to be one of the good guys, and now he's on the opposite side of the table. He worries about supporting his family.

The way to get our officers to retirement safely, after a satisfying career, is to lead them through policing's cauldron. Excessive force could get them fired or arrested. Making light of it is a failure of leadership.

It was hard to watch a roomful of officers laugh and applaud in response to Trump's remarks. The only charitable explanation was that it indicated a sense of relief that the President understood how vicious some criminals are and how frustrating the work of bringing them to justice can be. The more